

REMARKS

Claims 15-47 are pending in the present application.

Applicants wish to thank Examiner Mertz for the indication that Claims 15-19 are allowable and that Claims 31-36 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph (May 25, 2004 Office Action, page 3).

Reconsideration of the outstanding rejection is requested in view of the amendments and remarks herein.

The rejection of Claim 31 and 32-36 under 35 U.S.C. §112, second paragraph, is obviated by amendment.

Applicants have amended Claims 31 and 32 to be free of the Examiner's criticisms. Applicants wish to thank Examiner Mertz for the helpful suggestions to overcome this ground of rejection.

Applicants request withdrawal of this ground of rejection.

Present Claims 15, 31, and 32 are drawn to an isolated protein consisting of the amino acid sequence set forth in SEQ ID NO: 4 and mutants thereof, of which the Examiner has indicated Claims 15 and 31 are allowable (paper number 14, page 4). Claims 16-19 (and Claims 33-36) are drawn to pharmaceutical compositions, which contain the allowed protein of SEQ ID NO: 4 (and mutants thereof), which are also deemed to be allowable. Claims 20-30 (and Claims 37-47) are drawn to various methods that utilize the allowed protein of SEQ ID NO: 4 (and mutants thereof).

Applicants remind the Examiner that MPEP §821.04 states:

...if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim *will be rejoined*. (emphasis added)

Accordingly, since the Examiner has found the protein of SEQ ID NO: 4 allowable, Applicants note that process Claims 20-30 and 37-47 (all of which depend from the allowed claim) should be rejoined.

Finally, upon reviewing the Sequence Listing submitted on October 7, 2002, several clerical errors were discovered. Specifically, residues 39 and 56 of SEQ ID NO: 3 should be Gln and Glu, respectively, not Gly (see page 31). In SEQ ID NO: 4, residue 57 should be Asp, not Gln (see page 31). And, only the descriptors for "Xaa" at residues 7 and 52 of SEQ ID NO: 8 should recite "X is any amino acid or nonexistent." The descriptors for the remaining "Xaa" should simply be "X is any amino acid" (see page 13).

Accordingly, Applicants have now submitted a substitute Sequence Listing and a corresponding computer-readable Sequence Listing. The sequence information recorded in the corresponding computer-readable Sequence Listing is identical to the paper copy of the substitute Sequence Listing. Support for all of the sequences listed in the substitute Sequence Listing is found in the present application as originally filed. No new matter has been introduced by the submission of the substitute Sequence Listing and the corresponding computer-readable Sequence Listing.

Applicants submit that the present application is now in condition for allowance.

Early notification of such action is earnestly solicited.

Respectfully submitted,

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